

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7093**

**BILL NUMBER:** SB 263

**NOTE PREPARED:** Feb 28, 2005

**BILL AMENDED:** Feb 22, 2005

**SUBJECT:** Local Enforcement of Open Burning Restrictions.

**FIRST AUTHOR:** Sen. Alting

**FIRST SPONSOR:** Rep. T Brown

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:** X GENERAL  
DEDICATED  
FEDERAL

**IMPACT:** Local

**Summary of Legislation:** (Amended) If the county fiscal body adopts an ordinance approving a complaint procedure, the bill allows the filing of a complaint with a local health officer alleging that a person is conducting illegal open burning that results in a health hazard. The bill also requires the local health department to conduct a hearing and authorizes the department to order that the burning cease.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) This bill specifies that written complaints concerning illegal open burning that results in a health hazard may be filed with a local health officer or with the director of the Public Health Division of the Marion County Health and Hospital Corporation if the county fiscal body has adopted an ordinance to that effect. The fiscal impact of this bill would depend upon the number of additional written complaints that might be filed as a result of the clarification of the enforcement procedure for an existing statute. The impact on local health departments or the Marion County Health and Hospital Corporation, would be dependent upon specific individual circumstances.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Local health departments, including the Marion County Health and Hospital Corporation, and the associated circuit or superior courts.

**Information Sources:**

**Fiscal Analyst:** Kathy Norris, 317-234-1360.